

21. The device of Claim 19 wherein said user of said system interacts with said system by voice commands that are processed using a means for voice recognition.
22. The device of Claim 19 wherein said interactive personality of said system is displayed as an animated cartoon figure.
23. The device of Claim 19 wherein said interactive personality of said system is displayed as a video clip of a person.
24. The device of Claim 19 wherein said interactive personality of said system utilizes a means of artificial intelligence to interact with the customer.

REMARKS – General

By the above amendment, Applicant has amended the title to clarify the invention.

Also applicant has rewritten all claims to define the invention more particularly and distinctly to overcome the rejections and define the invention patentably over the prior art.

The Information Disclosure Statement did not attach a copy of a non-patent literature publication that was cited, and is now being attached to this amendment.

The drawing objections have been noted and will be corrected after allowance.

The term “animated guide” was interpreted by the patent office differently from the original intent of the applicant. The patent office interpreted the term “animated guide” to mean any video-displayed menu system. Therefore, the title and the claims have been written to use the

term “interactive personalities in the form of animated characters”. Examples of interactive personalities in the form of animated characters could include cartoon characters and video clips of persons. The applicant believes this term defines the invention more appropriately and closer to the original intent of the applicant.

The objection to the Claims Rejection under 35 U.S.C. 102

The Rejection of Claims 1 and 7 by Liebman and Dev et al are Overcome

The last O.A. rejected independent claims 1 and 7 on Liebman. Claims 1 and 7 have been re-written as new claims 13 and 19 to define patentably over this reference. Applicant requests reconsideration of this rejection, as now applicable to claims 13 and 19, for the following reason:

(1) The patent applications do not show all of the novel features in claims 13 and 19.

The References and Differences of the Present Invention Thereover

Prior to discussing the claims and the above point, applicant will first discuss the references and the general novelty of the present invention over the references.

Liebman and Dev et al both discuss methods for electronically communicating product information to customers through the use of an interactive electronic display system. However, neither discusses using an interactive personality in the form of an animated character such as an animated cartoon or video clip of a person to assist the customer through the ordering process in order to make the ordering process easier to understand and more personable.

Leibman discusses a display that uses audio and video, but only discusses audio as a means to help a customer through the ordering process. Leibman does not discuss any interactive personality as discussed above that would assist the customer through the ordering process.

Dev et al also discusses a video display with a menu system that graphically depicts a visual representation of the order. Dev et al discusses instructional text as a means to help a customer through the ordering process. However, Dev et al does not discuss any interactive personality as discussed above that would assist the customer through the ordering process.

Liebman and Dev et al Do Not Show All of the Novel Features of Claims 13 and 19

Claims 13 and 19 have novel (and unobvious) features over what is discussed in Liebman and Dev et al. In other words, applicant's invention, as defined by claims 13 and 19, comprises more than either Liebman or Dev et al or a combination of the two. Specifically, claims 13 and 19 discuss interactive personalities in the form of animated characters while Liebman and Dev et al only discuss animated menus or guides, and do not mention anything about interactive personalities that would help a customer through the ordering process.

The Dependent Claims are A Fortiori Patentable Over Liebman and Dev et al

New dependent claims 14 through 18 incorporate all the subject matter of Claim 13 and add additional subject matter which makes them a fortiori and independently patentable over these references.

New dependent claims 20 through 24 incorporate all the subject matter of Claim 19 and add additional subject matter which makes them a fortiori and independently patentable over these references.

Accordingly applicant submits that the dependent claims are a fortiori patentable and should be allowed.

Prior Art Made of Record and Not Relied Upon as Stated in the Office Action Conclusion is Overcome

Coutts describes an animated guide or sprite that represents the customer as in a video game.

The interactive personality that present applicant describes would replace the role of an employee and provide the same information as if the employee were taking the order.

Camaisa, et al. describes a system that displays photo-realistic images of food, but does not describe any helpful interactive personality that would assist the customer with their order.

Struther et al. describes a system that displays customer selectable objects which represent transaction opportunities, but does not describe any helpful interactive personality that would assist the customer with their order.

Sturr, Jr., describes a system that utilizes dynamic imaging and dynamic texting display, but does not describe any helpful interactive personality that would assist the customer with their order.

Ramsey describes a system with an interactive display that provides audio and video instruction, but does not describe any helpful interactive personality that would assist the customer with their order.

Stafford, Leon, describes a system that has an animated menu that shows food being order on screen, but does not describe any helpful interactive personality that would assist the customer with their order.

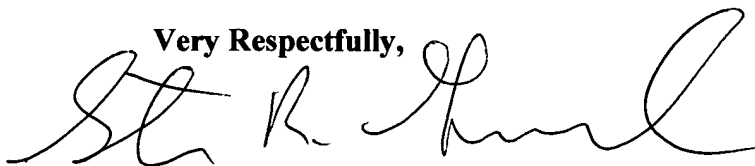
Conclusion

For all of the above reasons, applicant submits that the claims are now in proper form, and that the claims all define patentably over the prior art. Therefore the applicant submits that this application is now in condition for allowance, which action they respectfully solicit.

Conditional Request for Constructive Assistance

Applicants have amended the claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicants respectfully request the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P 2173.02 and 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very Respectfully,

A handwritten signature in black ink, appearing to read "St R Gosewehr", written in a cursive style.

Steven R. Gosewehr
Applicant Pro Se

3913 Leon Dr.
Plano, TX 75074
Tel. (972) 423-1965

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2006 June 30

Steven R. Gosewehr, Applicant